

STATE OF HAWAII
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103F, HRS

'12 NOV -9 P2:21

To: Chief Procurement Officer

STATE PROCUREMENT OFFICE
STATE OF HAWAII

From: Department of Labor and Industrial Relations/Office of Community Services

Department/Division/Branch or Office


Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

1. Title and description of health and human service(s): Legal Advocacy, Outreach, and Referral Services to Protect the Rights of Children and Their Families	
2. Provider Name and Address:	Legal Aid Society of Hawaii 924 Bethel Street Honolulu, HI 96837-0375 <i>cyh 11/9/12</i>
3. Total Contract Funds:	\$664,000 (Federal Funds) \$100,000
Contract Funds per Year (if applicable):	\$332,000 (Federal Funds) <i>cyh</i>
4. Reference number of Previous Request for this Service (if applicable):	
5. Term of Contract:	Start: 7/1/2011 11/9/12 <i>cyh 11/9/12</i> End: 6/30/13
6. Describe how procurement by competitive means is either not practicable or not advantageous to the State: The original procurement for this existing contract was conducted through a competitive RFP process, originally issued in December 2010, Reference #OCS LBR 903-12 FB 2012-20. Additional funds were made available for this service by the Department of Human Services (DHS) through the failure of another program to fully expend funds. Thus, an additional \$100,000 of funds are available. As these funds must be expended by June 30, 2013, there is not ample time to solicit for use of the funds. Of the request above, \$564,000 was competitively awarded, while this exemption request is only to increase the contract ceiling to be able to provide more services under the current contract. As these funds are Federal, there is no advantage to the State by not expending these funds, as they will not be returned to the General Fund.	
7. Describe the reason for the selection of the provider including a description of how the procedure ensured the maximum fair and open competition practicable: As stated above, \$564,000 of the current contract was competitively awarded. This exemption request is only for the additional time-limited \$100,000 made available through circumstances beyond OCS' control. During the RFP process, a single provider was the only respondent, and was awarded the contract. Most likely, there would be no additional competition if the contract ceiling were raised \$100,000. Because this existing contract's services meet the requirements for the Federal funds, this contract is ideal for the expenditure of the available \$100,000.	

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8. Describe the state agency's internal controls and approval requirements for the exempted procurement: The original contract was competitively procured, therefore we believe there was ample input and opportunity for the public to comment and apply. Although the amount requested to be added is one-third the yearly amount, it is one-sixth of the total contract price, an amount we believe would probably not affect the number of applicants for the service. Additionally, RFP's are being issued for the next cycle in the coming weeks, and will provide leeway in the contract ceilings to ensure flexibility should this situation happen again.	
9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract: Mila Kaahanui, Executive Director En Young, Contract, Performance, and Evaluation Administrator	
10. Direct questions to (name & position):	En Young, CPE Administrator
Phone number:	808-586-8680
e-mail address:	En.H.Young@hawaii.gov

I certify that the information provided above is to the best of my knowledge true and correct.

 _____ Department Head Signature	NOV 09 2012 _____ Date
Dwight Takamine _____ Typed Name	

NOTICE

The chief procurement officer is considering this request for exemption and, if there is good cause, the state intends to exempt the purchase as described in the request. Any inquiries regarding the purchase shall be directed to the contact person noted in item 10 of the request. Any concerns regarding the exemption shall be in writing and received by the chief procurement officer within seven days of the date the notice was first posted. Concerns shall be mailed to: Aaron Fujioka, Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

FOR CHIEF PROCUREMENT OFFICER USE ONLY

Chief Procurement Officer's Comments:

This approval is for the procurement process only. Service provider(s) are required to be compliant with applicable laws, and verified on the Hawaii Compliance Express. This award is required to be posted on the Awards Reporting System. If there are any questions, please contact Corinne Higa at 587-4706, or corinne.y.higa@hawaii.gov.

☒ APPROVED ☐ DISAPPROVED ☐ NO ACTION

 _____ Chief Procurement Officer Signature	11/29/2012 _____ Date
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Please ensure adherence to applicable administrative requirements.